

**UNITED STATES DISTRICT COURT**  
for the  
**Western District of New York**

ANDRITZ HYDRO CANADA INC., the successor to  
VA TECH HYDRO CANADA, INC.,

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*Plaintiff(s)*

Civil Action No. 20-cv-6772

v.  
Rochester Gas & Electric Corporation

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)  
)

*Defendant(s)*

**SUMMONS IN A CIVIL ACTION**

To: (*Defendant's name and address*) Rochester Gas & Electric Corporation, 89 East Avenue, Rochester, NY 14649-0001

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Chad W. Flansburg, Esq., Phillips Lytle LLP, 28 East Main Street, Suite 1400,  
Rochester, New York 14614; 585-238-2009

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 9/30/2020



CLERK OF COURT

*Mary O'Boyle*  
Signature of Clerk or Deputy Clerk

*Mary O'Boyle*

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*This summons for (*name of individual and title, if any*) \_\_\_\_\_was received by me on (*date*) \_\_\_\_\_. I personally served the summons on the individual at (*place*) \_\_\_\_\_on (*date*) \_\_\_\_\_; or I left the summons at the individual's residence or usual place of abode with (*name*) \_\_\_\_\_

, a person of suitable age and discretion who resides there,

on (*date*) \_\_\_\_\_, and mailed a copy to the individual's last known address; or I served the summons on (*name of individual*) \_\_\_\_\_, who isdesignated by law to accept service of process on behalf of (*name of organization*) \_\_\_\_\_on (*date*) \_\_\_\_\_; or I returned the summons unexecuted because \_\_\_\_\_; or Other (*specify*): \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

*Server's signature**Printed name and title**Server's address*

Additional information regarding attempted service, etc: